

REMARKS

Claims 14-17, 19-38 are pending in this application. Claims 1-13, 18 are cancelled, without prejudice or disclaimer. Claims 14, 15, 17 have been amended. As to the amendment to Claim 14, see Claim 1 and Applicants' specification, e.g., at page 6, line 25; page 4, line 30; page 4, lines 26-28. As to new Claims 19-38 see generally the original claims.

At page 2 of the office action, the Examiner's indication that the foreign priority papers are not seen in his file is noted. Attached please find a copy of the previously-filed cover of the certified foreign priority document. Applicant respectfully requests that the file be rechecked.

At page 2 of the office action, Claim 2 has been rejected under 35 U.S.C. 112, first paragraph, because the specification is said to be enabling for the disclosed "associated derivatives" but not for all the encompassed "associated derivatives."

In the amended claim set, the ground of rejection is believed to have been obviated. As to the recitation in claim 30 of allophanates, biuretes and prepolymers, see Applicants' specification at page 4, lines 29-32. Reconsideration and withdrawal of the rejection under 35 U.S.C. 112, first paragraph are respectfully sought.

At page 2 of the office action, Claims 1-18 have been rejected under 35 U.S.C. 112, second paragraph as indefinite.

A. The Examiner's position is that it is unclear what exactly is excluded by "in the absence of amine initiators." The Examiner is unclear if only starter molecules are intended to be excluded or if all NH compounds are to be excluded, including chain extenders.

Applicants respond as follows. "Amine initiators" is a term that is known in Applicants' art and Applicants' usage herein is consistent with the art, e.g., EP 0 379 246 (Reticel), which patent is already of record in this application. Amine initiators are primary or secondary amines, because they are incorporated into the polymer chain. (See examples of Reticel.)¹ In the conventional processes,

¹These amine initiators as defined by Reticel are different from catalysts because catalysts are never incorporated but leave the catalyzed reaction unchanged. For this purpose

sprayable and demoldable films have always been made with at least one amine initiator to combine good sprayability for a layer with homogeneous thickness, quick gelation and short demolding times. (EP '246, abstract and page 2, lines 15-21+; page 9.) In that conventional technology, the amine initiator, which enters into the polymer chain, provides for a good mechanical stability at an initial state of curing.

B-F. At page 3 of the office action, the Examiner objects to the use of “in particular”, “preferably” and “more preferably” in the claims. In claim 6, the Examiner finds the recitation of “parts” unclear. In claim 8, the Examiner finds the recited ratio unclear. In claim 18, the Examiner objects to the term “obtainable.” In claim 1, the Examiner objects to the phrase “where appropriate.” Applicants’ original claim language is believed to be in accordance with practice in the country where the priority application was filed; to advance prosecution, an amended set of claims has been prepared and these grounds of rejection are believed to have been obviated.

Reconsideration and withdrawal of the indefiniteness rejection are respectfully requested.

At page 5 of the office action, Claims 1-13 and 17-18 have been rejected under 35 U.S.C. 102(b, e) as being anticipated by EP 1095993 A2. The Examiner also cites US Pat. Application Pub. No. US 2005/0263243 which the Examiner characterizes as prior art under section e.

At page 6 of the office action, Claims 1-18 have been rejected under 35 U.S.C. 103(a) with the Examiner citing the same references.

Applicants respectfully traverse the art rejections as follows.²

Claims 1-13 having been canceled without prejudice or disclaimer, the art rejections as to those claims are believed to be obviated.

Applicants’ independent Claim 14 now recites a “process for producing a freely demoldable foil”. Applicants’ claimed process includes “spraying the

amine catalysts must be tertiary amines.

² As a preliminary matter, the US '243 published patent application cannot be cited as a reference herein because that application was filed April 25, 2005 which is not before Applicants’ present U.S. application filing date of March 4, 2004 (and their foreign priority date of March 18, 2003). Please note that the '243 application was a continuation-in-part.

composition in one or more passes onto a smooth surface or into a mold, permitting it to react to completion, and demolding the foil after curing.” (Applicants’ Claim 14.) Schumann fails to teach a process for producing a freely demoldable foil, and fails to teach a step of demolding a foil.

Rather, to the contrary, Schumann teaches a polyurethane layer which is coated on a backing, for production of a self-adhesive strip. The polyurethane layer of the self-adhesive article of Schumann is never demolded and is not supposed to be used as a single layer.

A person of ordinary skill in Applicants’ art would lack motivation to modify Schumann in the direction of Applicants’ art, but rather would view Schumann as disclosing what he expressly discloses. Rather, a person of ordinary skill in Applicants’ art would think of Schumann for making self-adhesive articles and would think of Recticel for making sprayable and demoldable film.

To a person of ordinary skill in Applicants’ art, Applicants’ claimed invention is not obvious, particularly when taking into account the existing background of Applicants’ art, namely, that in the state of the art of producing sprayable and demoldable film (see Recticel) sprayable and demoldable films have always been made with at least one amine initiator to combine good sprayability for a layer with homogeneous thickness, quick gelation and short demolding times. The amine initiator, which enters into the polymer chain, provides for a good mechanical stability at an initial state of curing. A person of ordinary skill in Applicants’ art at the time of Applicants’ invention would not have considered Recticel useable for producing a sprayable and demoldable film, nor does Recticel contain such a disclosure.

It was Applicants’ invention and discovery that the aims in production of sprayable, demoldable films for which previously an amine initiator had been needed, instead could be achieved with a composition comprising common polyurethane components and a certain amount of a “fine-particle oxide of a metal or a of a metalloid” as an additive i.e. compound (D). The use of compound (D) makes possible to do without the amine initiators (which is advantageous for environmental reasons). To avoid amine initiators in producing sprayable, demoldable films is Applicants’ invention and is not disclosed in any reference.

There are no hints within Schumann that the polyurethane film described

therein could be freely demoldable. In contrast, the articles shown in Schumann are self-adhesive.

Applicants' claimed compositions do not overlap Schumann. Clearly Applicants' claimed compositions are not obvious over Schumann, when representative embodiments of Applicants' claimed compositions have the characteristic that they can be produced into a sprayable, demoldable film. To the contrary, Schumann's examples are being made into adhesives.

For simplicity and brevity, remarks are not made for each dependent claim that has been rejected.

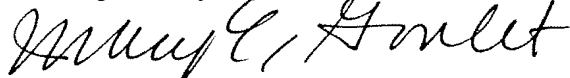
Wherefore, reconsideration and withdrawal of the art rejections are respectfully sought.

In view of the foregoing, it is respectfully requested that the application be reconsidered, that claims 14-17, 19-38 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041 (Whitham, Curtis, Christofferson & Cook, P.C.).

Respectfully submitted,



Mary E. Goulet
Reg. No. 35,884

Whitham, Curtis, Christofferson & Cook, P.C.
11491 Sunset Hills Road, Suite 340
Reston, VA 20190

Tel. (703) 787-9400
Fax. (703) 787-7557

Customer No.: 30743